

## how we deal with your case

**Our job at the Financial Ombudsman Service is to help settle disputes between consumers and financial businesses – without taking sides. We were set up by law to do this, as the independent experts. This factsheet tells you more about the way we work and how we set about resolving individual disputes.**

### our approach

In some ways we are like a court of law – and our ombudsmen are like judges. But the ombudsman service is not as formal as the courts. Our aim is to settle disputes as fairly and as quickly as we can. How we do this in each individual case will depend on the facts and circumstances involved.

Complaints can sometimes arise from just a simple misunderstanding. So we make sure each side fully understand where the other is coming from. If we think the business has treated you fairly and you've not lost out as a result of its actions, we will tell you so.

### putting things right

Sometimes there's no clear-cut right or wrong – and we might suggest a compromise to help you and the business settle the matter. But if you've clearly lost out because of what the business has (or hasn't) done, we can tell the business what to do to put things right.

There is a limit of £100,000 on the amount that we can require a business to pay (plus any interest and costs). But most disputes involve amounts much less than this. If you think this limit may affect your dispute, please let us know – and we will explain what it might mean for you.

### first steps first

We will usually start by seeing if we can help you and the business sort things out informally. We will:

- look at your side of the story
- contact the business to get their side of the story
- weigh up the facts *and*
- tell you and the business what we think.

Because we don't take sides, we are able to stand back and take a fresh look at the situation. And we can often come up with a quick and informal solution that satisfies both sides.

If we can't resolve your complaint this way, we may need to take a more formal approach. This could mean that the adjudicator working on your case will have more questions for both you and the business. We may also ask for other documents and information. So it could take some time before we can get to the bottom of your complaint.

We will always keep you up-to-date, so you'll know what's happening with your case. We aim to settle most disputes within six to nine months – and we resolve a third of cases within three months. But some complaints can take longer to settle – for example, if you or the business raise especially complex issues.

When we have completed our work on your case, the adjudicator will write to you, setting out how the complaint should be resolved. Usually both sides accept what the adjudicator says – and this settles the dispute.

## what if this still doesn't resolve the problem?

If you don't accept what the adjudicator says about your complaint, then you (or the business) can ask to have the case reviewed. The review of a complaint at this stage would be carried out by one of our ombudsmen.

An ombudsman's decision is final. It is the end of the matter as far as our process is concerned. It will not be possible for us to look at the case again. No ombudsman, however senior, has the right to overrule the decision of another ombudsman.

If you do not accept our decision you are free to take your dispute to a court instead, if you wish to do so. But we cannot give you legal advice about any court requirements or restrictions (for example, on time limits).

## face-to-face meetings

We generally settle disputes based on the information that you and the business you are complaining about give us, in writing and over the phone. It is only very rarely that we consider it necessary or helpful to have face-to-face meetings (sometimes called "hearings") with the two sides.

## how to contact us

write Financial Ombudsman Service, South Quay Plaza, 183 Marsh Wall, London E14 9SR

email [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

phone **0300 123 9 123** (8am to 6pm, Monday to Friday)  
If you're worried about the cost of calling us, we'll be happy to phone you back.  
To help in staff training we may monitor or record phone calls.

website [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

This factsheet for consumers is only a general guide. It is not legal advice. We look at each case on its own individual facts and merits. We will always give you the chance to query anything you don't understand or agree with. © Financial Ombudsman Service Ltd, September 2009

If you want us to consider holding a hearing, you will need to write and tell us as soon as your case has been referred to an ombudsman. You should tell us briefly what points you would like a hearing to cover. We will only agree to a request for a hearing if we think the case cannot be fairly decided without one.

## complaints about our service

If at any time you are unhappy with the level of service we have provided, please get in touch with the person dealing with your case and let them know. If this doesn't sort things out to your satisfaction, please contact our service review manager. You'll find our address at the end of this factsheet.

## further information

This is only a very general guide. The rules we have to follow can be complex.

If you ask us to look into your complaint, we will explain any particular rules or restrictions that may apply in your own individual case. We will always give you the chance to query anything you don't understand or agree with. If you have any questions, please contact the person handling your case in the first instance.

**If you'd like information in Braille, large print or on audiotape/CD – or in a different language – just let us know.**